

Email Communication between 54 & 46 Muirfield Rd.

Hi Luis and Kristin,

Thank you for your response. You made some statements that I would like to address:

1. "I did ask other neighbors in close proximity if they ever hear or see any chopping of granite and their answer was "never" with a confused look."

When I first heard the noise I didn't realize what it was either because chopping granite with a chisel by hand is not a sound I am accustomed to hearing. So, perhaps that is why they were "confused."

Since you mention the Ahlund's, I can tell you that when I asked Chintana, she was not confused at all. She stated that she hears it and she noticed when it increased. In fact, the Ahlund's do not live "equal distance away". The uninsulated shed from which you operate your granite chopping sits on my property edge, not theirs.

2. "You seem to be the ONLY one bothered."

It does not matter to us if other people want to put up with the noise. We are the closest to your business and are therefore the most affected.

3. I did not compare the noise itself to "the sound of water dripping". My point was to illustrate how disruptive the constant clanging of breaking granite becomes when I am trying to enjoy my yard or even to read a book in my home.

4. "Let me remind you that you purchased a home next to a playground/city park with tennis courts, basketball courts and baseball/soccer field... in a neighborhood. It is not unusual that you may hear the constant sound of basketballs and tennis balls hitting the clay courts."

Allow me to remind you, that you moved into a residential neighborhood where people live in the expectation not to hear granite being broken "2-3 days a week for only a few hours a day." These sounds are not comparable.

5. "We mind our own business and follow the rules."

Which rules are you referring to? I'm certain you are aware it is highly illegal to dump an estimated 2 TONS of granite chips on a Class II Wetland? You were hardly accommodating when requested on numerous occasions to clean up your garbage. You finally responded when our property management team communicated that legal steps would have to be taken. In fact, you hardly cleaned up at all in your first attempt. Your second attempt still did not fully clean up the dumped granite. In fact, right now there are many pieces still sitting there which will never biodegrade.

Are you following the rules of a home business? I have been in contact with the Office of Zoning to confirm that today.

Are you following the rules of the Association By-Laws? You should review Section 8.1 of the General Covenants. Only 'customary home occupations' are allowed in this neighborhood. A granite breaking business does not qualify as 'customary'. I will be addressing this at the next Board meeting which you should both plan to attend.

And, "for the sake of our children" you should dismantle and remove the degrading and therefore dangerous plywood 'bridge' that you have constructed in the woods. First of all, that land is not your property upon which to build (or DUMP) anything. The cheap plywood and wood scraps you used have many nails and jagged edges that are completely unsafe for people, children and pets.

So, as you can see we will not be "leaving this as it is" and this will not be your "final say on the matter." I intend to live peacefully in my home and enjoy my yard without the disruption of you breaking granite into pieces. I'm happy for you that your business is prospering. However, just like you, I bought a house in a neighborhood, not a business district.

Kelli Brooks

From: kristali@comcast.net
Subject: Re: Noise
Date: Sun, 19 Apr 2015 18:48:21 -0400
To: kellibundgard@hotmail.com

Kelli,

After reading your email and considering your request, I have decided I will not be moving my hobby/craft business elsewhere. I did ask other neighbors in close proximity if they ever hear or see any chopping of granite and their answer was "never" with a confused look. In fact, just yesterday one close neighbor asked if I could chisel 2 boards as a special order. Another neighbor, the Ahlund family which live equal distance away and are home everyday, all day with a 3 year old and a new born baby have absolutely no complaints and have told me to include this in my response.

When you first were bothered, my husband and I rushed out and spent nearly \$200.00 on materials and supplies to sound proof the shed while altering our work hours to accommodate you. You compared the sound to that of water dripping which ultimately, is not a noise issue.

Let me remind you that you purchased a home next to a playground/city park with tennis courts, basketball courts and baseball/soccer field... in a neighborhood. It is not unusual that you may hear the constant sound of basketballs and tennis balls hitting the clay courts. We most likely will hear the sounds of playing or even screaming children

whether at the pool/park/beach or in our own yard. Not to mention lawnmowers, weed trimmers, tree cutting or chopping of wood, construction vehicles, parties, music and even planes or loud fighter planes overhead. Additionally, Luis and I only work on the granite 2-3 days a week for only a few hours a day keeping all work behind tightly closed doors in our shed which is practically in the woods. You seem to be the ONLY one bothered. We mind our own business and follow the rules. There are always "things" that other neighbors may do that we ALL find to be annoying, but we must not be unreasonable.

This will be my final say on this matter and we can simply leave it as... we agree to disagree. For the sake of our children and neighbors we should continue to be cordial and keep peace between the homes.

On Apr 14, 2015, at 5:03 PM, Kelli Brooks wrote:

Hi Kristin,

First, I want to thank you for talking with me about how to help solve the noise issue we have. I really appreciate your interest in being neighborly. Doug mentioned that you told him that Luis soundproofed the shed. We do appreciate the effort, however the soundproofing has not decreased the noise at all. Today I was disappointed to clearly hear it once again while working in the yard. This spring and summer we would like to enjoy our porch, yard and open windows without the irritating clanking noise.

Frankly, we live in a residential neighborhood and it is reasonable to expect that we should not have to hear or see a business, at all, while on our property. So, please find a solution soon. At this point I do not think that your garage will be sufficiently soundproofed, so if you would like to keep the business in home I guess you will have to find a room within it.

Another possibility is finding a studio space elsewhere. A great option is the Generator space in Memorial Auditorium (www.generatorvermont.com). They currently have space as well that rents for \$150 per month. I would contact them soon, if you are interested, because they may fill up.

Another option is contacting the South End Arts & Business Association (www.seaba.com). They are a collaboration of artists, entrepreneurs and incubator businesses. They have listings for available studio spaces on their homepage ranging from \$150 to \$500 per month.

Kelli

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